

JC06 Rec'd PCT/PTO 24 AUG 2005

PCT #3

## CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to: Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450, on the below date:

Date: 8/22/05 Name: Anthony P. Curtis, Ph.D., 46,193 Signature:

BRINKS  
HOFFER  
GILSON  
& LIONE

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Appln. of: Helmut Tews

Appln. No.: 10/519,201 ✓

Filed: December 17, 2004

For: Method For Producing a Spacer Structure

Attorney Docket No: 10808/192

Examiner: Not yet assigned

Art Unit: N/A

Mail Stop Missing Parts  
Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

## TRANSMITTAL

Sir:

## Attached is/are:

- ☒ Checks for \$130 and \$40; Transmittal Cover Letter (1p. Filed in Dup.); Response to Notification of Missing Requirements (2pp. Filed in Dup.); Copy of Notification of Missing Requirements Under 35 U.S.C. 371 In the United States Designated/Elected Office (DO/EO/US); Executed Declaration (2pp.); Assignment Recordation Form Cover Sheet (1p.); Executed Assignment (1p.); Copy of Published Patent Application No. WO 03/107405 A1 previously filed on December 17, 2004 and Copy of English Translation of International Application No. PCT/DE03/01551 previously filed on December 17, 2004

- ☒ Return Receipt Postcard

## Fee calculation:

- ☐ No additional fee is required.
- ☐ Small Entity.
- ☐ An extension fee in an amount of \$\_\_\_\_\_ for a \_\_\_\_\_-month extension of time under 37 C.F.R. § 1.136(a).
- ☐ A petition or processing fee in an amount of \$\_\_\_\_\_ under 37 C.F.R. § 1.17(\_\_\_\_\_).
- ☐ An additional filing fee has been calculated as shown below:

					Small Entity			Not a Small Entity	
	Claims Remaining After Amendment		Highest No. Previously Paid For	Present Extra	Rate	Add'l Fee	or	Rate	Add'l Fee
Total		Minus			x \$25=			x \$50=	
Indep.		Minus			x 100=			x \$200=	
First Presentation of Multiple Dep. Claim					+\$180=			+\$360=	
					Total	\$		Total	\$

## Fee payment:

- ☒ Checks in the amounts of \$130 and \$40 are enclosed.
- ☐ Please charge Deposit Account No. 23-1925 in the amount of \$\_\_\_\_\_. A copy of this Transmittal is enclosed for this purpose.
- ☐ Payment by credit card in the amount of \$\_\_\_\_\_ (Form PTO-2038 is attached).
- ☒ The Director is hereby authorized to charge payment of any additional filing fees required under 37 CFR § 1.16 and any patent application processing fees under 37 CFR § 1.17 associated with this paper (including any extension fee required to ensure that this paper is timely filed), or to credit any overpayment, to Deposit Account No. 23-1925.

Date

8/22/05

Respectfully submitted,

Anthony P. Curtis, Ph.D. (Reg. No. 46,193)

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Total		Minus			x \$25=			x \$50=	
Indep.		Minus			x 100=			x \$200=	
First Presentation of Multiple Dep. Claim					+ \$180=			+ \$360=	
					Total	\$		Total	\$

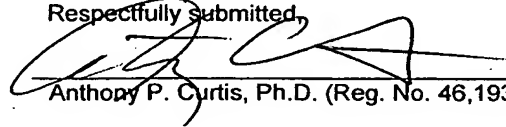
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Date

8/22/05

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Anthony P. Curtis, Ph.D. (Reg. No. 46,193)

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P.O. Box 1450

Alexandria, VA 22313

on 8/22/05

Date of Deposit

Anthony P. Curtis, Ph.D., 46,193

Name of applicant, assignee or  
Registered Representative



8/22/05  
Signature

Date of Signature

Case No. 10808/192

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:

Helmut Tews

Serial No.: 10/519,201

Filed: December 17, 2004

For: METHOD FOR  
PRODUCING A SPACER  
STRUCTURE

Attention: Manager,  
Application Branch

**RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Attn.:

Dear Sir:

In accordance with the Notification of Missing Requirements of Application Filing Date Granted dated August 3, 2005, a copy of which is attached, enclosed herewith for filing are the following documents:

☒ Fully executed Declaration for Patent Application and Power of Attorney for the above-referenced patent application.

☒ Applicant is:

☐ a small entity, verified statement is:

☐ attached

☐ already filed

☒ other than small entity

☒ Checks totaling \$130 for:

☐ Filing Fee of \$\_\_\_\_.

☒ Surcharge of \$130.

☐ Additional Claim Fees of \$\_\_\_\_.

☐ Petition for Extension of Time (37 C.F.R. § 1.136(a)) to file missing parts (in duplicate).

☐ Other: \_\_\_\_\_.

☒ The Commissioner is hereby authorized to charge any deficiencies in fees or credit overpayment to Deposit Account No. 23-1925. A duplicate copy of this paper is enclosed.

Respectfully submitted,

Dated: \_\_\_\_\_

8/22/05



Anthony P. Curtis, Ph.D.  
Registration No. 46,193  
Attorney for Applicant(s)

BRINKS HOFER GILSON & LIONE  
P.O. BOX 10395  
CHICAGO, IL 60610  
(312)321-4200

08/30/2005 ATRAN1 00000151 10519201

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Rec'd PCT/PTO

24 AUG 2005

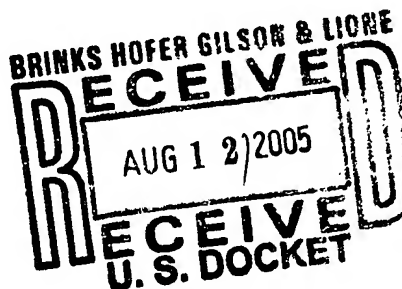


## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/519,201	Helmut Tews	10808/192

Anthony P Curtis  
 BRINKS HOFER GILSON & LIONE  
 Post Office Box 10395  
 Chicago, IL 60610



INTERNATIONAL APPLICATION NO.	
PCT/DE03/01551	
I.A. FILING DATE	PRIORITY DATE
05/14/2003	06/17/2002

CONFIRMATION NO. 4891  
 371 FORMALITIES LETTER



\*OC000000016675413\*

Date Mailed: 08/03/2005

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 12/17/2004
- English Translation of the IA filed on 12/17/2004
- Copy of the International Search Report filed on 12/17/2004
- Copy of IPE Report filed on 12/17/2004
- Preliminary Amendments filed on 12/17/2004
- Information Disclosure Statements filed on 12/17/2004
- Request for Immediate Examination filed on 12/17/2004
- U.S. Basic National Fees filed on 12/17/2004
- Priority Documents filed on 12/17/2004

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- \$130 Surcharge for providing the oath or declaration later than 30 months from the priority date (37 CFR 1.492(e)) is required.

#### SUMMARY OF FEES DUE:

Total additional fees required for this application is \$130 for a Large Entity:

- \$130 Late oath or declaration Surcharge.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN 12 (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

SHAKEEL AHMED

Telephone: (703) 308-9140 EXT 208

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/519,201	PCT/DE03/01551	10808/192